

SENATE RECORD VOTE ANALYSIS

106th Congress
1st Session

Vote No. 258

August 4, 1999, 8:35 p.m.
Page S-10195 Temp. Record

AGRICULTURE APPROPRIATIONS/MTBE Fuel Additive

SUBJECT: Agriculture, Rural Development, and Related Agencies Appropriations Bill for fiscal year 2000 . . . S. 1233.
Boxer motion to table the Chafee amendment No. 1522 to the Boxer amendment No. 1521.

ACTION: MOTION TO TABLE AGREED TO, 52-43

SYNOPSIS: As amended, S. 1233, the Agriculture, Rural Development, and Related Agencies Appropriations Bill for fiscal year 2000, will provide \$62.837 billion in non-emergency new budget authority (of which \$13.969 billion will be discretionary budget authority, which is the amount provided in fiscal year 1999) for fiscal year 2000. Loan authorizations will total approximately \$9.5 billion. Additionally, the bill will provide \$7.649 billion in emergency agricultural assistance in fiscal year 2000. Details are provided below.

- Agriculture Programs, \$19.99 billion, including: \$14.368 billion for payments to reimburse the Commodity Credit Corporation for net realized losses; and \$1.093 billion for the Farm Service Agency (with a loan level of \$3.08 billion).
- Conservation Programs, \$808 million.
- Rural Development Programs, \$2.18 billion, including: \$718 million for the Rural Community Advancement Program; and \$1.3 billion for the Rural Housing Service (with a loan level of \$4.59 billion).
- Domestic food assistance programs, \$35.546 billion, including: \$21.56 billion for the Food Stamp Program; \$4.038 billion for the Women, Infants, and Children Program; and \$9.56 billion for Child Nutrition programs.
- Foreign food assistance and related programs, \$1.063 billion.
- Food and Drug Administration and Related Agencies, \$1.1 billion.
- Spending limits will be placed on the Environmental Quality Incentives Program, new acreage enrollments in the Wetlands Reserve Program, and the Fund for Rural America.
- \$7.649 billion in emergency agricultural assistance in fiscal year 2000 will be provided (see vote No. 257; for related debate, see vote Nos. 249-250, 253, and 255-256).
- No unilateral agricultural or medical sanction may be imposed without Congress' assent (see vote No. 251).

(See other side)

YEAS (52)			NAYS (43)			NOT VOTING (5)	
Republicans (14 or 26%)	Democrats (38 or 90%)		Republicans (39 or 74%)	Democrats (4 or 10%)		Republicans (2)	Democrats (3)
Abraham	Akaka	Johnson	Allard	Kyl	Biden	Crapo- ²	Kennedy- ²
Ashcroft	Baucus	Kerrey	Bennett	Lott	Bingaman	Mack- ²	Landrieu- ²
Bond	Bayh	Kerry	Bunning	McCain	Breaux		Moynihan- ^{2AN}
Brownback	Boxer	Kohl	Campbell	McConnell	Lincoln		
Burns	Bryan	Lautenberg	Chafee	Murkowski			
Collins	Byrd	Leahy	Cochran	Nickles			
DeWine	Cleland	Levin	Coverdell	Roth			
Fitzgerald	Conrad	Lieberman	Craig	Santorum			
Grams	Daschle	Mikulski	Domenici	Sessions			
Grassley	Dodd	Murray	Enzi	Shelby			
Jeffords	Dorgan	Reed	Frist	Smith, Bob (I)			
Lugar	Durbin	Reid	Gorton	Smith, Gordon			
Roberts	Edwards	Robb	Gramm	Specter			
Snowe	Feingold	Rockefeller	Gregg	Stevens			
	Feinstein	Sarbanes	Hagel	Thomas			
	Graham	Schumer	Hatch	Thompson			
	Harkin	Torricelli	Helms	Thurmond			
	Hollings	Wellstone	Hutchinson	Voinovich			
	Inouye	Wyden	Hutchison	Warner			
			Inhofe				
						EXPLANATION OF ABSENCE: 1—Official Business 2—Necessarily Absent 3—Illness 4—Other	
						SYMBOLS: AY—Announced Yea AN—Announced Nay PY—Paired Yea PN—Paired Nay	

- Foreign assistance will not be used to promote the sale of alcoholic beverages.

The Boxer amendment would express the sense of the Senate in favor of eliminating methyl tertiary butyl ether (MTBE) as a gasoline additive (MTBE is used as an oxygenate in gas in order to reduce pollution). Specifically, the amendment would express the sense of the Senate that the United States: should phase out MTBE in order to address the threats MTBE poses to public health and the environment; should promote renewable ethanol to replace MTBE as a means of enhancing energy security and supporting the farm economy; should provide assistance to State and local governments to treat drinking water supplies contaminated with MTBE; and should provide assistance to State and local governments to protect lakes and reservoirs from MTBE contamination.

The Chafee amendment would strike all after the first word of the Boxer amendment and in lieu thereof would express the sense of the Senate that the Committee on Environment and Public Works should review the Blue Ribbon Panel findings on MTBE (that panel of outside experts was created by the Administration to study the use of MTBE as a gasoline additive) and all other relevant scientific studies, hold comprehensive hearings, and report to the Senate at the earliest possible date any legislation necessary to address the recommendations of the Blue Ribbon Panel.

During debate, Senator Boxer moved to table the Chafee amendment. A motion to table is not debatable; however, some debate preceded the making of the motion. Generally, those favoring the motion to table opposed the amendment; those opposing the motion to table favored the amendment.

NOTE: After the vote, the Boxer amendment was adopted by voice vote. Subsequently, the Senate substituted the text of the bill for the text of H.R. 1906, the House-passed Agriculture Appropriations Bill, and passed H.R. 1906 by voice vote.

Those favoring the motion to table contended:

MTBE, to put it very simply, is a poison. It is added to gasoline to limit air pollution, but it has been leaking from tanks and causing ground pollution. Unlike other contaminants from gasoline, it is extremely soluble and spreads through the water supply swiftly. Once in the water, it does not break down. It makes water smell and taste bad, even when present in quantities as small as 5 parts per billion. It is a suspected carcinogen. In the 5 years in which it has been in use it has already contaminated thousands of wells around the country, including huge wells that provide drinking water to large cities. For instance, the city of Santa Monica, California, has lost 71 percent of its water supply due to MTBE contamination. The longer we wait to ban this pollutant, the more it will build up in wells across the country. Santa Monica estimates it will cost it \$160 million to get the MTBE out of its wells. Should we wait until every other city and town incurs similar costs? The Environmental Protection Agency's (EPA's) Blue Ribbon Panel on MTBE recommended a phasing out of MTBE use. Other alternatives, such as ethanol, exist, and they are just as effective and are non-polluting. We urge our colleagues to oppose the Chafee amendment calling for a study, and instead to support the underlying Boxer amendment which urges the EPA to ban MTBE.

Those opposing the motion to table contended:

The two pending amendments address an extremely complicated issue. Some Senators may be tempted to rush to judgment by voting for the underlying amendment out of fear that if they do not the environment may be harmed; others may be tempted to rush to judgment based on a hope that banning MTBE will result in increased use of ethanol, a farm product, as a fuel additive. In both cases Senators would be making a mistake, because they would be acting out of ignorance. We doubt there is a Senator here who could even say "methyl tertiary butyl ethanol" without reading it, much less give a clear explanation of how it is used, why it is used, how it works, and what advantages or disadvantages it has compared to alternatives. Now, though, at 7:00pm in the evening, after only a few minutes of perfunctory debate by Senators who are anxious to get home and eat dinner, we are being asked to say that in our opinion MTBE ought to be banned. We do not know what the ramifications of a ban would be—it could cause serious disruptions in gasoline supplies, it could cause large price increases, or it could lead to greater pollution of our environment. In support of their proposed ban, our colleagues have said that some underground gasoline tanks in California have leaked, and MTBE has ended up in the drinking water of some communities. They have also said that it could possibly prove to be a carcinogen and that it makes water taste and smell bad. Finally, they have said that the blue ribbon panel of experts appointed by the EPA to study this issue recommended that MTBE be phased out, and they have therefore offered this sense of the Senate amendment. In response to the first several points, it seems to us that the obvious solution would be to fix the leaking tanks. MTBE is not the only dangerous product in gasoline. If the MTBE is leaking, so is everything else. As for the claim that the panel recommended an elimination of MTBE, our colleagues are simply mistaken. It recommended a reduction, and it recommended a reduction only after Congress removed the 2-percent oxygenate requirement in order to increase options for companies as they looked for a replacement. That recommendation on congressional action, as well as about 30 other specific recommendations made by the panel regarding fixing leaking tanks and similar matters, have not been mentioned by our colleagues. In most circumstances, sense-of-the-Senate statements are ineffectual because they do not have the force of law. In this case, though, the effect may be large because the Environmental Protection Agency (EPA) already has the authority to ban MTBE. If Senators go on record as saying it should be banned, it very well may be. Eventually, we may support a ban, but at this point we do not know if it is advisable. We ought to study the matter first, as proposed by the Chafee amendment. We therefore oppose the motion to table.